NO. 30318

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

IN THE PETITION OF TAWHIRI POWER LLC FOR DECLARATORY RULING

APPEAL FROM THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAI'I (DOCKET NO. 2009-0304)

ORDER DENYING APPELLANT'S MOTION FOR RECONSIDERATION OF OPINION FILED JANUARY 27, 2012 (By: Foley, Presiding J., Fujise and Leonard, JJ.)

Upon consideration of Petitioner-Appellant Tawhiri Power's February 6, 2012, Motion for Reconsideration of the Intermediate Court of Appeals' Opinion filed on January 27, 2012, the memorandum/papers in support of the motion, and the records and files in this case,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawaii, February 8, 2012

On the motion:

Sandra-Ann Y.H. Wong Harlan Y. Kimura for Petitioner-Appellant Tawhiri Power

Presiding Judge

Associate Judge

Associate Judge